



Natural Resources Conservation Service  
210 Walnut Street, Room 693  
Des Moines, IA 50309-2180

January 29, 2013

**IOWA INSTRUCTION 440-389 SECOND EDITION – WETLANDS RESERVE PROGRAM  
(WRP) APPLICATION AND APPLICATION FOLDER  
DEVELOPMENT FOR IOWA**

**IA389.0 PURPOSE**

To distribute WRP permanent easement application file development instructions based upon items required when an application folder is submitted to the Easement Programs Team (EPT) office.

**IA389.1 SCOPE**

These instructions should be followed when assembling an application folder for a new WRP permanent easement. These instructions do not apply to an application for a WRP 30-year easement, 30-year contract, 10-year WRP restoration cost-share agreement, or Emergency Watershed Protection Program Floodplain Easement (EWP-FPE) application.

**IA389.2 FILING INSTRUCTIONS**

This Iowa Instruction will be posted on the Iowa NRCS Employee Website, which can be accessed at <http://www.ia.nrcs.usda.gov/intranet/> under the Iowa NRCS eDirectives System section.

**IA389.3 Exhibits**

See the attachment.

A handwritten signature in cursive script, appearing to read "Jay T. Mar".

Jay T. Mar  
State Conservationist

Attachment

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(IA Instruction 440 - 389 Second Edition – January 2013)

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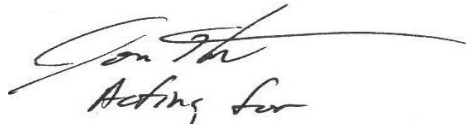
1. PURPOSE:

This Iowa Instruction provides the steps to be followed when assembling an application folder for a new WRP permanent easement. Please note that the information that goes in each cover has been rearranged.

2. EXPLANATION:

This Iowa Instruction must be followed to ensure consistent development of WRP applications and putting together the 6-part folder.

Approved By:



*Acting Sec*

Date: January 29, 2013

Jay T. Mar  
State Conservationist  
Natural Resources Conservation Service  
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The WRP and EWP-FPE 6-Part Folder Checklist shows all items needed to submit a complete application folder to the NRCS Easement Programs Team. A detailed explanation and instruction for all items are described in the same order in which they appear on the 6-Part Folder Checklist. All forms are available online at <http://www.ia.nrcs.usda.gov/programs/WRP.html> including a current version of the 6-Part Folder Checklist. Two (2) exact copies of the application folder shall be created; one for the NRCS field office and one for the NRCS State Office. All required items are indicated with a small star (\*).

For NRCS partners working on applications, some items can only be completed with NRCS assistance or coordination.

## **COVER 1**

### **Preliminary Certificate of Inspection & Possession (PCIP)**

This two (2) page document will reflect if the acreage proposed for easement is occupied, who has interest in the property, what the land use is, and details regarding ownership. Generally, all dry land in Iowa is occupied. A field visit and inspection is a prerequisite for completion of the form. The PCIP will have three (3) additional pages attached to it; a Hazardous Substance Examination Checklist (two [2] pages) and an Exhibit A map (one [1] page) representing the proposed easement.

Answer each question as indicated. The PCIP asks if there is a licensee or tenant. It is not uncommon for tenants or operators to be associated with a farm. These must be listed, if applicable. Do not assume that the landowner has legal documented access to all of the land he/she owns. Research may be needed to determine legal access unless the proposed easement abuts public road right-of-way. Having a copy of the ownership documents (usually a deed) and Auditor's plat (or equivalent) will insure the PCIP is as accurate as possible.

-- Only NRCS personnel may complete and sign a PCIP.

### **NRCS-CPA-1200 Conservation Program Application**

The application form is a three (3) page document that will provide ownership and contact information. It must be signed and dated by at least one of the person(s) that own the land. The type of ownership shown on the form should match what is reflected on the ownership records (i.e.: Deed).

A Data Universal Number System (DUNS) number and current registration in System for Award Management (SAM) (formerly CCR) applies to entities (such as partnerships, LLC, corporations, Trusts, Estates, etc.) which do business using an Employer Identification Number (EIN) instead of a Social Security Number (SSN). Non-NRCS partners working on applications will need to coordinate with NRCS if a DUNS number and current registration in SAM is needed. (See National Instruction NI\_120\_329.)

## **Ranking Criteria**

Complete the most current version of the WRP ranking worksheets. The ranking must be signed by both a representative of the NRCS and the landowner. Other items acquired, prepared, and assembled for an application site will provide answers to the questions posed on the ranking.

- A preliminary ranking restoration cost estimate will be needed using the most current WRP restoration practice estimated cost list.
- Farm Service Agency (FSA) crop acres for WRP are all of the Direct Cyclical Payment (DCP) acres in the application area taken from the FSA-156EZ. FSA crop acres are equal to land that FSA considers "cropland" and is comprised of any land that is legally and physically capable of being cropped. This is generally any land that is not under water or covered with trees and may include pasture that has never been under cultivation. (See FSA Handbook 3-CM for complete definitions.)
- Current acres of row crop are acres that actually have current FSA crop history, are currently being used for annually planted and harvested crops, and generally have a field number and highly erodible land determination completed. Current acres of row crop will always be less than, or equal to, acres of FSA cropland (DCP acres).

## **Landowner Offer**

All WRP applicants must be given the opportunity to take a smaller land value payment than what the NRCS would otherwise offer. This opportunity is documented on the Landowner Offer and Signature Form.

The Iowa Ranking Worksheets will give extra points if the applicant agrees to take a 5 percent reduction in their land value payment. With NRCS assistance, it is acceptable to calculate the "full" estimated amount and the "reduced" estimated amount and show these numbers on the form before obtaining signature. HOWEVER, the estimated land payment values have the potential to change every year so any estimated numbers will likely be different (either higher or lower) in future years if the application stays on the list for any length of time. Current year land payment prices and payment caps can be found at:  
<http://www.ia.nrcs.usda.gov/programs/WRP.html>.

## **Landowner Owner Disclosure Form**

Complete this form by interviewing the landowner at the time of application.

## **Professional Biological Threatened/Endangered (T/E) Recommendation**

If ranking points are being taken for federal or state T/E species, a letter, email, or spreadsheet confirming wetland T/E habitat presence (or restoration potential) on site by an Iowa professional biologist must be included. Recommendations outside NRCS will require additional review.

## **Related Easement Documents**

If the land is owned by an individual or an individual and his/her spouse, there are generally no other related documents needed. However, if the land is not individually owned, the list in Attachment A shows what ownership documents are needed.

Additional documents may be necessary to prove landowner has legal access to the easement application when an individual owns the proposed easement area but access to the land is on property owned by somebody else. A copy of the deed of the legal access and/or previously recorded access agreement will be needed.

## **Copy of Deed(s)**

Copies of title documents, where the current landowner took possession from a third party, must be included for the proposed easement. This could be a Deed, Warranty Deed, Corporate Deed, or Court Officer's Deed. If land is being sold on contract, provide a copy of the Real Estate Contract and Contract Seller's Deed. See Attachment A for a list of needed ownership documents. These documents can be obtained from the Recorder in the county where the land is physically located. Frequently, a trip to the Auditor's office with the section, township, and range information will be needed to obtain a book and page number or document number, which is then taken to the Recorder to obtain photocopies.

- The Recorder usually charges a small fee for each copy.
- The FSA office maintains copies of some title documents when land is enrolled into the Conservation Reserve Program (CRP). FSA may, or may not, be able to share these documents. The landowner may also be able to provide copies.
- Some documents may be obtained online from Iowa Land Records:  
<http://www.iowalandrecords.org/portal/>. You must register but there is no charge for use of the site or establishing a user account.

## **COVER 2**

### **6-Part Folder Checklist**

This is the one (1) page form that lists all items needed for a WRP file. All items with a star must be included with an application file. Other items are added and "checked off" as work proceeds, assuming the site is actually selected for enrollment. Enter the name of the landowner(s) as it appears on the FSA Producer Subsidiary Print in the upper right corner of the form.

### **IA-CPA-15 Assistance Notes**

The assistance notes for an application should include entries regarding discussions and meetings with the applicant, as well as any pertinent information that is important to the site.

## **Letter Certifying Eligibility**

An NRCS examiner must certify, in a letter or memo addressed to the NRCS State Conservationist, that the land and the landowner have been evaluated for all applicable eligibility requirements. This certification is signed and dated by NRCS. The letter certifies the site is eligible for enrollment the year of application, keeping in mind that the land or landowner may become ineligible at some point in the future.

Land eligibility for a permanent WRP easement can be met several different ways. Several different scenarios, including wet cropland, fens, T/E species habitat, riparian areas, and other situations may allow land to be eligible. Waivers may also be granted under special conditions. For the purpose of this Instruction, only basic criteria are provided here:

- Riverine easements must contain at least 50 percent "core" eligible land. The rest of the easement can include up to 50 percent any type of "other" land including; non-hydric upland cropland, upland pasture, timber, natural un-manipulated wetlands, non-hydric bottomland, etc.
- Pothole easement offers must be at least 20 percent "core" eligible acres and the remaining 80 percent can be "other" types of land.

The definition of "core" eligible land is acreage that is hydric based on the NRCS Hydric Soils List, have USDA certified crop history, are by definition degraded (because they are cropped), and are restorable. Hydric pastureland also frequently meets "core" eligibility due to grazing activities. Non-cropped natural areas such as waste areas or timber meet "core" eligibility if they have been degraded by man-made hydrologic alterations such as tile installation, construction of drainage ditches, drainage tubes, or levee construction. There must be the opportunity to negate or undo these alterations otherwise the land is not eligible.

- The land must have been owned by the applicant for at least seven (7) years. There are potential waivers to this rule if the land changed hands between family members due to will or succession.
- Road right-of-way, farmsteads, structures of any kind, land planted to trees under CRP (CP3, CP3A, CP22), and land already used for wetland mitigation are not eligible to be included in a WRP easement.

Non-NRCS partners determining eligibility may need to communicate with NRCS if it is not clear that the site meets the basic requirements stated above.

## **AGI and HEL/WC Compliance - USDA Producer Subsidiary Print**

A current FSA Producer Subsidiary Print is required for all persons/entities (and members of entities if SCIMS Tax ID type is "EIN") that are shown on the title document (usually a Deed) for the application year. Documentation and tracking USDA conservation program eligibility is the responsibility of the FSA. The easiest way to have eligibility confirmed (or not) is to obtain a Subsidiary Print for the current program year. These can be obtained at: <https://northsea.sc.egov.usda.gov/Subsidiary/Subsidiary.do>. Non-NRCS partners working on applications will need to coordinate with NRCS for obtaining copies of a Subsidiary Print since access to the database is restricted.

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The three (3) items that must be certified at FSA are: AD-1026 (HEL/WC), Adjusted Gross Income (AGI), and Conservation Compliance - Farm/Tract.

Persons who are not currently compliant are not eligible for WRP and should be instructed to see their local FSA office to complete whatever forms are necessary to become eligible for "USDA Conservation Program" participation.

### **FSA Producer Farm Data Report**

This is an FSA printout that shows operator names, owner names, farm numbers, and tract numbers associated with a particular producer. It also shows the total acreage of farmland, cropland, and CRP contract acreage for all farms and tracts associated with that person. The report can only be accessed by NRCS employees with the appropriate authorization at: <https://northsea.sc.egov.usda.gov/frs/reportSelection.do>.

## **COVER 3**

### **Location Maps**

All 6-part folders need to have a county map with the location of the proposed easement identified and a township map with the site identified. County Iowa Department of Transportation (IDOT) maps are available for free download at: <http://www.iowadot.gov/maps/msp/pdfview/counties.html>. A township map will more than likely need to be made by making a photocopy from a County Plat Book/Directory. All NRCS field offices have county directories available for use for this task.

- Maps need to be of a quality they can be scanned in black and white or faxed.  
Note: Using a yellow highlighter to draw around the area does not work.
- Include the landowner(s) name on the maps.

### **Preliminary Restoration Plan Map**

A preliminary restoration plan map will need to be created using the NRCS planning program called "USDA Customer Service Toolkit." Non-NRCS partners working on applications will need to coordinate completion of this item with the local NRCS staff. (See Iowa NRCS Instruction 440-388.)

- Restoration planning will involve input from the current landowner.
- The Toolkit WRP Conservation Plan will be signed and dated by the landowner and NRCS.

### **Four Easement Boundary Maps**

These maps may be prepared in Toolkit or any other suitable GIS or mapping program. Clearly delineate the proposed easement boundary and the proposed access route. Maps need to be to a scale of 1" = 660' (a/k/a: 8" = 1 mile, a/k/a: 1:7,920) or a multiple thereof (4" = 1 mile or 1:15,840). Include section lines and section numbers.

- Maps need to be reproducible in black and white.

### **Drainage District Plat Maps**

Include plat map of drainage district main, lateral, ditches, levees, etc. which affect the easement application.

### **Other Encumbrance Maps**

Include maps of where all other encumbrances are known from #11 on the Landowner Disclosure Form. Examples of these are existing and proposed infrastructure easements such as electric transmission lines, pipelines, roads, wind lease/easement, trails, railroad, and other right of ways (ROWs), etc.

### **Iowa NRCS Plant Community Query with Selected Targets**

Native vegetative plant communities suitable for restoration on any given site will be determined by running a query. The Access Database used for this query is located here: <http://www.ia.nrcs.usda.gov/technical/WRPeasementtools.html>. The query tool will ask you to enter the soil texture, drainage class, and parent material for the major soil types on the tract that will be used for planning the restoration. Print out the resulting report(s). Mark on the report(s) which of the plant communities will be selected as the target. It is likely that more than one (1) report will be necessary and the proposed easement area will have more than one (1) target community due to differences in soil properties over the farm. The various target communities will then be used for making the restoration plan map.

- Note: This 33MB database runs much faster if it is downloaded from the Iowa NRCS website and then run from a local location (C:\ drive or H:\ drive). The database will need to be "enabled" each time it is opened.

### **Soils Map**

A soils map showing the soil map unit labels and map unit boundaries can be developed in several different ways. It can be created by making a photocopy from the county soil survey manuscript, by using the county SoilView CD, generated out of Toolkit, or by going to Web Soil Survey located here: <http://websoilsurvey.nrcs.usda.gov/app/HomePage.html>. NRCS field offices have copies of the SoilView CD if that is the preferred method. Soil survey manuscripts may likely be borrowed from the local field office if needed.

- Outline the proposed easement area in a manner that would allow the map to be readable if scanned in black and white or faxed.

### **Hydric Soils List (eFOTG) & Map Unit Descriptions**

Hydric soils lists for every Iowa county are found here: [http://efotg.sc.egov.usda.gov/efotg\\_locator.aspx?map=IA](http://efotg.sc.egov.usda.gov/efotg_locator.aspx?map=IA). Go to Section II of the eFOTG. Select Soils Information. Pick the appropriate Soil Survey Area (county). Selecting Soils Tables will then allow a Hydric Soils .pdf to be viewed and printed.



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Map Unit Descriptions must be generated in a report and printed from the following site:  
<http://soildatamart.nrcs.usda.gov/County.aspx?State=IA>. The steps are as follows:

- (1) Select the county in which the land is physically located.
- (2) Select "Generate Reports."
- (3) Use the drop-down menu to choose which report to generate. Pick **Map Unit Description (Brief, Generated)**.
- (4) Highlight/select the map units that are within the proposed easement area.
- (5) Select "Generate Report." The report will appear as a .pdf which can then be viewed and printed.

### **Parcel Maps from Beacon Website (optional)**

The Beacon Schneidercorp website is an excellent source of information related to land ownership, parcel numbers, and parcel boundaries. It also includes references to book/page numbers for ownership documents. Unfortunately, only about half of the counties in Iowa participate with Beacon. The website link is: <http://beacon.schneidercorp.com/>.

Use the Beacon map to find the proposed easement area. The section lines, quarter section lines, parcel boundaries, and other tools provide excellent information. Maps can be printed from this website.

### **Official FSA Tract Map**

The FSA tract map is an aerial image based representation of farm and/or tract boundaries, farm number, tract number(s), field boundaries, field acres, CRP contract boundaries, and other pertinent information. Cropland acreage figures used for ranking purposes should correspond to FSA's acreage figures as shown on this map.

- FSA tract maps can be obtained directly from FSA or from NRCS staff housed in the USDA Service Center where the farm is administratively carried.
- It is not uncommon for the Beacon maps (based on county assessor and auditor information) and the FSA maps to be different for farm/tract boundaries. Generally, the Beacon maps provide a greater level of accuracy with regards to parcel ownership.

## **COVER 4**

### **Preliminary Restoration CPA-1155 with Signatures**

The CPA-1155 will be created using the NRCS planning program called "USDA Customer Service Toolkit." Non-NRCS partners working on applications will need to coordinate completion of this item with the local NRCS staff. (See Iowa NRCS Instruction 440-388.)

### **Toolkit Plan**

This plan will need to be done using the NRCS planning program called "USDA Customer Service Toolkit." Non-NRCS partners working on applications will need to coordinate completion of this item with the local NRCS staff.

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Specific guidance on WRP restoration is contained in Iowa WRP Wetland Easement Restoration Plan Instruction 440-388 located here:

<http://www.ia.nrcs.usda.gov/intranet/instructions.html>.

### **Soils / CSR Information Worksheet**

The acreage of each individual soil map unit, along with the soil CSR value, is entered on this worksheet. This worksheet is an Excel spreadsheet that auto calculates and is found here: <http://www.ia.nrcs.usda.gov/programs/WRP.html>. The acreage of each soil map unit for cropland (with FSA crop history) within the easement area will be measured and calculated using a SoilView CD, the Web Soil Survey website, or NRCS staff can use "USDA Customer Service Toolkit." The use of any of these three (3) methods is acceptable and the results are entered on the worksheet.

- Timber or woodland is any acreage within the proposed easement that has a preponderance of trees. This includes timber-like non-cropland areas that may have seasonal standing water.
- Pasture is acreage within the proposed easement that is not timber or cropland (row-crop) and is instead pasture and has grass or other herbaceous cover. This also includes pasture-like non-cropland areas that may have seasonal standing water.
- Total cropland (with crop history) acreage should correspond to FSA figures. Total acres in the proposed easement should be the same number as shown on all other documents to reflect the estimated total acreage of the proposed easement. The numbers on this worksheet should match the numbers shown on the ranking worksheets.

### **Existing and Expired CRP contract(s)**

Provide a copy of official signed CRP Contracts (CRP-1) including map and seeding list. Provide all existing active, cancelled, and expired CRP Contracts. Land established to trees under any active, cancelled, or expired CRP contract using practices CP3, CP3A, and CP22 are not eligible to be included in a WRP easement.

### **FSA-156EZ**

This form provides detailed information specific to each individual tract of land that is entered in FSA's database. It can be obtained at the same time as the Producer Farm Data Report. This report can only be accessed by NRCS employees with the appropriate authorization at:

<https://northsea.sc.egov.usda.gov/frs/reportSelection.do?>.

### **CCC-505 (for appraisals only)**

A CCC-505 Voluntary Permanent Direct and Counter-Cyclical Program (DCP) Base Acres Reduction form does not need to be completed unless specifically requested by the Easement Programs Team.

## **COVER 5**

### **IA-CPA-52 Environmental Evaluation/Effects Worksheet**

Items to complete this environmental evaluation process are available at <http://www.ia.nrcs.usda.gov/technical/>. Only trained NRCS personnel can complete this process. Partners working on applications will need to coordinate completion of this item with the NRCS.

### **Cultural Resources Documentation/Flowchart**

Items to complete cultural resource review and documentation are available at <http://www.ia.nrcs.usda.gov/technical/culturalresources.html>. Only trained NRCS personnel can complete this process. Partners working on applications will need to coordinate completion of this item with the NRCS.

## **COVER 6**

### **Reserved for Banking and Payment Documentation**

## **ATTACHMENT A**

### **Types of Owners and Documentation Needed**

In addition to the most current deed(s) to the property and any access property, provide:

Individual - marital status and spouse's name.

Corporation - file-stamped copy of Articles of Incorporation, copy of Bylaws, corporate resolution authorizing sale of easement, and current Biennial Report (as filed w/Secretary of State). If landowner is an Iowa Corporation, get the listing of officers on the Secretary of State's web site, so don't have to ask for Biennial Report. This will also show whether the corporation is active or not. If not an Iowa Corporation will need a Certificate of Good Standing from their Secretary of State.

Limited Liability Company or Limited Company (LLC or LC) - file-stamped copy of Articles of Organization, copy of Operating Agreement, list of members and managers, and a printout from Secretary of State's web site showing that the status of the LLC is active.

Partnership - copy of Partnership Agreement.

Limited Partnership (LP) - file-stamped copy of Certificate of Limited Partnership, Partnership Agreement, and any amended certificates, current list of partners.

Limited Liability Partnership (LLP) - copy of Partnership Agreement, if any.

Trust - copy of document establishing trust. If a testamentary trust, also need copy of letter of appointment of Trustee. If inter vivos trust and they do not want to turn over a copy of their trust, we will accept a Trustee's Affidavit, which they can get from their attorney.

Conservatorship - copy of document establishing conservatorship and copy of letter of appointment of Conservator.

Estate - copy of will, letter of appointment of Executor, and list of heirs. Also need Court Officer Deed, if applicable.

Contract Sale - copy of Seller's deed and copy of the real estate contract.

Power of Attorney - Must be notarized and give attorney-in-fact the authority to convey real property. If not recorded, must be in recordable format.